

## **TOWN OF SCITUATE BETTERMENT PROGRAM BOARD OF HEALTH**

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The Town of Scituate has received approval by Town meeting vote to enact the Community Septic Management Program (CSMP). This septic replacement program is made possible by a loan from the Massachusetts Water Pollution Abatement Trust and managed by the Massachusetts Department of Environmental Protection (DEP). This makes loans available to homeowners with a failed septic system in environmentally sensitive areas identified by the Town of Scituate. To qualify, the residents property must have a failed septic system.

A failed septic system must have a Title 5 report submitted to the Board of Health by a certified Title 5 inspector licensed by the Town of Scituate Board of Health or a failed septic system identified by the Town of Scituate Director of Public Health.

### **TOWN OF SCITUATE ENVIROMENTALLY SENSITIVE AREAS**

The Town has identified specific areas on the attached Evaluation Criteria for Betterment Loan Application. The Town reserves the right and may designate specific environmentally sensitive areas as having a higher priority than others. The homeowner may be put on a waiting or priority list depending on the review of the evaluation criteria for betterment loans.

### **ELIGIBLE ITEMS**

The loan will include the combined costs associated with septic system repair or replacement. These costs include sewer connection\*, engineering; performing soil and percolation test and other necessary site analyses; septic system design, septic system components, installation, and grading of the septic system. The homeowner must submit three quotes from Town of Scituate permitted installers. The homeowner will notify the Board of Health on their choice of installers. The Town shall receive all copies of written contracts and agreements, and all work shall be performed in accordance to the contracts and agreements.

\*Please note sewer connections only available where Town sewer currently exists and approval is needed by the Board of Selectman.

### **TOWN INSPECTION**

The homeowner agrees to allow the Town of Scituate, including the Board of Health, Mass D.E.P. and/or other officials, employees and agents to enter the homeowner's property to inspect, test and examine the septic system project to verify the completion and adequacy of the work.

## **LOAN TERMS**

Loans will be awarded based on two related criteria as follows:

- 1) A cumulative point score which characterizes the nature of the septic system failure and its potential impact on environmentally sensitive areas within the Town of Scituate. The higher cumulative point totals receive higher priority from the review process.
- 2) The application number which is assigned according to the date the application was received (not post marked) at the Scituate Board of Health. The earlier dates will receive lower application numbers which will serve as the tie-breaker for applications having the same cumulative point score.

Once approved, the loan terms will be a 5% loan, to be paid over 20 years. The payment will be annually and will be reflected on the homeowner's yearly real estate bill. This loan will be held against the homeowner's property as a betterment assessment and must be paid when the homeowner sells the home or carried over to the new homeowner. After the certificate of compliance is issued by the Board of Health Department for the completed Title 5 designed and installed septic system, all final payments will be made to the contractor(s) associated with the septic system. The homeowner is expected to make payment to betterment assessments repaid through tax collection as indicated in the Community Septic Management Program Betterment assessments agreement with the Scituate Town Treasurer.

## **APPLICATION PROCESS**

The homeowner of the Town of Scituate must reside at the residence of the failed Title 5 septic system. If the homeowner qualifies for the betterment assessment program, the attached application must be completed and submitted to the Board of Health Department. Applications with incomplete information will not be accepted. The homeowner will be notified of eligibility and should be aware the Town may exhaust all available money made by Mass DEP and if so the homeowner will be on a waiting or priority list depending on the review of the evaluation criteria for betterment loans and until the money becomes available.

## **APPLICATION PROCEDURE**

The application form is to be completed by the homeowner with assistance from the Title V inspector who performed the Title V inspection report. The Town of Scituate department staff and or approved public information sources should be consulted in providing all documentation required in the application form. The Board of Health employee will record the date of the submission and will assign a consecutive application number. The numbers will be assigned in the order the applications are received. Incomplete applications will not be accepted and will be returned to the homeowner. The application numbers will be used by the Board of Health to award betterment loans by the scores associated with the

evaluation criteria. Once approved, the homeowner(s) will be expected to sign a Betterment Agreement.

The Director of Public Health or designee will verify all the information presented in the evaluation criteria worksheet. If the information for each criterion can be reasonably verified from the Title 5 inspection report, public information sources or other certified documents, the Director or designee is required to validate those criteria. If any single criteria cannot be certified by this process that criterion will be considered non-certified by the Board of Health in the final review process. It is the responsibility of the homeowner(s) to provide information from relevant sources which can be used for verification by the Director of Public Health or designee without using extraordinary means. If documents are used which are not commonly available, notarized copies may be submitted with the application. The Board of Health reserves the right to determine the relevance of any documents submitted under this provision.

The final review will be performed by the Board of Health at their public meeting. The review will be based on a point-by-point review of each application with the homeowner(s) being unknown to the Board of Health members. A cumulative loan qualification point score will be determined by this process. The highest cumulative loan criteria point score in conjunction with the lowest application number will receive a Notification of Intent to Award a Betterment Loan.

Upon approval of the application and following notification by the Board of Health, the homeowner(s) will be expected to sign a Betterment Agreement with the Town of Scituate. This Betterment Agreement outlines the terms of the loan and what is expected by both parties. If the homeowner finds it necessary, the document can be reviewed by their attorney. When this agreement is signed and sent to the Board of Health, the homeowner can proceed. Only under extenuating circumstances can the Board of Health review unexpected costs and must be approved at their meeting.

The homeowner(s) will be responsible for obtaining bids from engineers and/or general contractors (installers) on their own. It is recommended that the homeowner obtains at least three (3) bids. This allows for the most effective price. The homeowner can select the engineer and installer and can enter into a single contract with the engineer and installer. The homeowner may want to consider having the design engineer coordinate with the installer in submitting bills to the Board of Health department. Within sixty (60) days of the date of signed Betterment Agreement, the homeowner must submit septic system design plans with three cost estimates of the proposed system from permitted disposal septic system installers with the Town of Scituate. Once the septic system design plans are approved by the Board of Health and a permit has been issued, a Town of Scituate permitted installer can pick up the approved plan and permit to begin the work.

The homeowner agrees to allow the Town of Scituate Board of Health Director or designee on the homeowner's property to inspect, test and examine the septic system project to verify the completion and adequacy of the work.

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Engineers and installers will be expected to submit their bills to the homeowner. The homeowner is expected to review the bill, approve it and forward it to the Board of Health Department. Any additional costs other than what was originally approved by the Board of Health must be presented at the Board of Health meeting for approval.